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November 5, 2021

**VIA ECF**

Honorable Robert M. Levy  
United States Magistrate Judge  
Eastern District of New York  
Brooklyn, NY

Re: Mascarinas, et al v. City of NY, et al \_20-cv-1235(RPK)(RML)

Dear Judge Levy

Please recall that my firm is co-counsel representing the Plaintiffs in this matter, which was settled in principle on or about July 27, 2021. I write today to respectfully request that Your Honor Order the City of New York's Human Resources Administration Department of Social Services to expedite the Lien Search request necessary to complete the settlement paperwork in this matter.

By way of brief background, we have the paperwork for the Surrogate's Court filing ready to be executed by the clients, but the sole missing information for the filing is the non-existence of a Medicare / Medicaid lien. The clients have confirmed that there was no use of Medicare / Medicaid by Mr. Dioso before his passing. As such there should be no lien whatsoever. However, until that letter is provided by the HRA, we cannot move forward with the filing of the surrogate documents. Paperwork was timely filed, but at last we contacted HRA, we were told it will be weeks, if not months, before They will address the lien request, and that they will not expedite the request in the absence of a Court Order.

The parties herein wish to complete the paperwork in support of the settlement in this case as expediently as possible, and as such, respectfully request that Your Honor issue an order as stated above. I have been conferred with ACC Alan Scheiner of Corporation Counsel this morning, and as of now, the City does not have a decision on whether they are taking any position on this request. A proposed Order is attached here.

Thank you very much for your consideration of this letter. Please do not hesitate to contact us if you require any further information or materials.

Respectfully Submitted,

~/s/~/

Caitlin Robin

cc: **VIA EMail**

ACC Alan Schein, Esq.  
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